

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="display: flex; justify-content: space-between;"><div style="width: 80%;"><p>E. ALLEN REEVES, INC. <i>Plaintiff</i></p><p style="text-align: center;">v.</p><p>MICHAEL GRAVES & ASSOCIATES, INC. <i>Defendant</i></p></div><div style="width: 10%; text-align: center;">:</div><div style="width: 10%;"><p>CIVIL ACTION NO.</p><p>3:10-CV-01393-JAP-TJB</p></div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 80%;"><hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/><p>MICHAEL GRAVES & ASSOCIATES, INC. <i>Counterclaimant,</i></p><p style="text-align: center;">v.</p><p>E. ALLEN REEVES, INC. <i>Counterdefendant</i></p></div><div style="width: 10%; text-align: center;">:</div><div style="width: 10%;"></div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 80%;"><hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/><p>MICHAEL GRAVES & ASSOCIATES, INC. <i>Third Party Plaintiff,</i></p><p style="text-align: center;">v.</p><p>DAVID CHOU & ASSOCIATES; KELTER & GILLIGO CONSULTING ENGINEERS; FISHER MARANTZ STONE, INC.; THE ARTS COUNCIL OF PRINCETON; SAL ARNONE; JOHN DOES 1-50, <i>Third Party Defendants,</i></p></div><div style="width: 10%; text-align: center;">:</div><div style="width: 10%;"></div></div>	:
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**MICHAEL GRAVES & ASSOCIATES, INC.'S NOTICE OF MOTION TO DISMISS
THE COUNTERCLAIM OF THE ARTS COUNCIL OF PRINCETON
PURSUANT TO N.J.S.A. §2A:53A-29**

TO:	<div style="display: flex; justify-content: space-between;"><div style="width: 80%;"><p>John J. Graham, Esquire Cohen, Seglias, Pallas, Greenhall & Furman United Plaza, 19th Floor 30 South 17th Street Philadelphia, PA 19103 Counsel for E. Allen Reeves, Inc. Counsel for the Arts Council of Princeton on the Counterclaim</p><p>John E. Lamastra, Esquire Daly, Lamastra & Cunningham 3 Mountain View Road P.O. Box 1622 Warren, N.J. 07061</p></div><div style="width: 10%; text-align: center;">:</div><div style="width: 10%;"></div></div>
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Counsel for the Arts Council of Princeton

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PLEASE TAKE NOTICE that on February 7, 2011, at 9:00 a.m. or as soon thereafter as counsel may be heard, the undersigned, attorney for the Defendant/Third Party Plaintiff, Michael Graves & Associates, Inc. will move before the above-mentioned court at the U.S. District Court of New Jersey, in Trenton, New Jersey, for an Order to Dismiss the Third Party Defendant's, the Arts Council of Princeton's Counterclaim against Michael Graves & Associates, Inc., with Prejudice.

Movant will rely upon the attached Certification, Brief, and Exhibits in support of this Motion.

Movant has annexed a proposed form of Order.

MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN

By: /s/ Raymond J. Michaud
RAYMOND J. MICHAUD, ESQ.
Attorney for Defendant/Third Party Plaintiff
Michael Graves & Associates

DATE: December 30, 2010
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